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COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Agenda item 10

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

Written statement submitted by the International Fellowship of Reconciliation, a non-governmental organization in consultative status (category II)*

The Secretary-General has received the following written statement, which is distributed in accordance with Economic and Social Council resolution 1296 (XLIV).

[3 March 1993]

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* The present document is a summary of a publication prepared and distributed by Freedom House. Freedom House is a New York-based human rights and public policy organization founded more than 50 years ago to oppose the Nazi onslaught in Europe. Since that time, it has been a steadfast advocate for human rights and civil liberties. Its current Chairman, Ambassador Max M. Kampelman, served as the Head of the United States Delegation to the Paris and Madrid rounds of the Conference on Security and Cooperation in Europe.

PRISONER OF CONSCIENCE: MARIA ELENA CRUZ VARELA

1. Maria Elena Cruz Varela is a Cuban poet, human rights activist, and mother imprisoned since November 1991. She is an honorary member of PEN (Poets, Essayists, Novelists) and Amnesty International has identified her as a prisoner of conscience. Freedom House has issued several appeals on her behalf. Writers, artists, civic leaders, and members of parliaments the world over have asked President Fidel Castro to release Maria Elena.

2. On 3 December 1991, The Washington Post published an editorial entitled "Thuggery in Havana" that denounced the Cuban Government for its actions against Maria Elena: "Just two weeks ago, Maria Elena Cruz Varela, dissident poet and leader of a small, non-violent human rights group in Havana called Alternative Criteria, was assailed in her apartment by government demonstrators, dragged down from the fourth floor, beaten, had documents she had written stuffed into her mouth and thereafter sentenced to two years in jail. In Fidel Castro's Cuba, political activity outside the one-party communist system is outlawed: her offence was to hold 'illegal' meetings and to 'defame' State institutions ... Such is the condition of communism in Cuba, one of the few remaining outposts of a doctrine that most other believing States have shaken off in the last few years. In Havana, the doctrine remains official gospel, enforced finally by the resources of a totalitarian State."

3. Later that same month, The New York Times published an extraordinary statement by Maria Elena Cruz Varela. The letter, according to The Times, had been written in late September. When it appeared in The Times, the author already was in detention. In her piece, Maria Elena says, "What a pity, Señor Fidel Castro, that you mistake where your opponents are; what a shame that you try to place the opposition so far from Cuba. No Señor Castro, the Cuban opposition is not from or in the United States of America, regardless of that country's questionable positions. Your opposition is yourself and your own contradictions. Your opposition is the proven economic, political and social failure of 32 years of experiments."

4. "We are your opposition, we 10 million Cubans who look around us in terror, searching for something that allows us to believe in the possible salvation of our lives and those of our families, the salvation of our dignity and survival as a civilized nation ... My duty is to make it clear to you, and to national and international public opinion, that opposition does exist in Cuba. It only does not exist among those who turn away for three reasons: fear, fear, and fear. Not only do I exist; we are many, so many that our existence is imperiously denied; we are opponents and we are not exactly in the United States. We are here, a few steps away from you, and you know it."

5. "The circuses and gastronomical festivals organized to distract your visitors don't matter. That kind of irresponsible, political neo-tourism bestowed on figures from other countries doesn't matter, the fact that they depart 'satisfied' by our sad spectacle doesn't matter. Beneath all that scaffolding live the people, and we are among those people: those who oppose, repressed to be sure, but as undeniable as a birthmark in the middle of one's

forehead. To those who survive our approaching catastrophe I want to say something: it is good, it's healthy to remember: history can absolve, but it can also condemn."

6. Harriet Babbitt, an attorney in Phoenix, Arizona who had met Maria Elena Cruz Varela in Cuba a few months earlier, wrote an appeal that appeared in The Los Angeles Times on 1 January 1992. President Bill Clinton named Mrs. Babbitt as United States Ambassador to the Organization of American States. Mrs. Babbitt wrote in The Times: "Two years ago, Cuba's Union of Artists and Writers awarded Cruz the Julian del Casal Poetry Prize. Since then, responding to economic chaos and political repression, she and several other intellectuals formed the 'Alternative Criterion'. Last May they issued the declaration, which calls for a genuine national debate involving all Cuban citizens on the economic and political problems facing their country ..."

7. "Castro's response was to subject Cruz to repeated acts of repudiation ... beating her and forcefully stuffing her writings in her mouth - no subtle metaphors for these particular thugs. On 27 November (1991), she was tried, convicted and sentenced to two years in prison for holding illegal meetings and defaming State institutions ... Castro understands the power of the spoken word. As a 64-year-old leader of a crumbling political experiment, he is beginning to understand the threat of a young, articulate woman, potentially a symbol for all Cubans whose ideas and aspirations he refuses to acknowledge as legitimate ... Maria Elena Cruz Varela is nobody's water-carrier. That this talented poet and patriotic Cuban is in prison for, in the words of Castro himself, exercising her right to express her opinion, is an affront to every person in the society of free nations. It is also the ultimate evidence of Fidel Castro's political and moral deceit."

8. **It is incumbent upon the international community to do everything within its power to help prisoners of conscience like Maria Elena Cruz Varela in Cuba and elsewhere, because without their courage to stand up against injustice and to search for peaceful change, the only alternative left in many critical situations around the world is either foreign intervention or considerable bloodshed.**

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COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Agenda item 11

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Written statement submitted by the International Fellowship of Reconciliation, a non-governmental organization in consultative status (category II)*

The Secretary-General has received the following written statement, which is distributed in accordance with Economic and Social Council Resolution 1296 (XLIV)

1. One aspect of item 11, "the question of the programme and methods of work of the Commission", is fundamental to this Commission. IFOR wishes to draw attention to one troublesome matter, which impacts negatively on the credibility of the Commission. All too frequently, Member States do not comply with the resolutions of the Commission, but the credibility of the Commission is at stake when the Member State in question is also a member of the Commission. This question is central to the issue of "programmes and methods", because a refusal to comply, while retaining the authority as a member of the Commission, engenders contempt and heightens the possibility of non-compliance by other Member and observer States.

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* This written statement was prepared in collaboration with Freedom House, a New York-based human rights and public policy organization, founded more than 50 years ago to oppose the Nazi onslaught in Europe. Since that time, it has been a steadfast advocate for human rights and civil liberties. Its current Chairman, Ambassador Max M. Kampelman, served as the Head of the United States delegation to the Paris and Madrid rounds of the Conference on Security and Cooperation in Europe.

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2. As part of its review of "programmes and methods" the Commission ought to hold accountable any Government that prohibits or hinders the work of NGOs - and especially any Government that refuses entry into its country by duly designated representatives of the Commission, particularly a Member of the Commission!

3. This year, IFOR accredited representatives from Freedom House, the well-known New York-based Human Rights Organization, whose current Chairman is United States Ambassador Max Kampelman. Its Annual Survey of political rights and civil liberties around the world is highlighted by a special report, prepared for this Commission, which is available on request. It includes chapters on the list of those Governments considered to be the worst violators of human rights during 1992. In alphabetical order: Burma, China, Cuba, Haiti, Iraq, Libya, North Korea, Saudi Arabia, Somalia, Sudan, Syria and Viet Nam.

4. Among its tasks - to name but two examples - the Commission focuses on the violations of the fundamental human rights of individuals and also on the suffering of minorities. Yet, in today's world, we see the plight of majorities that are the victims of a most vicious system of repression. We are referring to the denial of the most fundamental of human rights to whole populations, due to their ethnic or national background. Freedom House's Annual Survey gives a number of such examples, that go from Cuba in the West to North Korea in the East.